

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

IN RE:

GREGORY S. BALLARD  
PROPERTIES, LLC,

Debtor.

Case No. 10-30367  
Chapter 11

GREGORY S. BALLARD  
PROPERTIES, LLC,

Plaintiff,

vs.

JPMORGAN CHASE BANK, N.A.,

Defendant.

Adv. Proceeding No. 16-03301

**DEFENDANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

Pursuant to Fed. R. Bankr. Pr. 7056 and Fed. R. Civ. P. 56, Defendant JPMorgan Chase Bank, N.A. ("Chase"), moves the Court to enter partial summary judgment in its favor, dismissing with prejudice the purported first, second, third, fourth, and sixth claims of debtor Gregory S. Ballard Properties, LLC ("Ballard Properties"). In support of its motion, Chase respectfully shows the Court that there is no genuine dispute as to any material fact with respect to Ballard Properties' purported first, second, third, fourth, and sixth claims for relief and that Chase is entitled to judgment as a matter of law with respect to each of those purported claims.

WHEREFORE, Defendant JPMorgan Chase Bank, N.A., respectfully requests that the Court enter summary judgment in its favor, dismissing with prejudice the purported first, second, third, fourth, and sixth claims of debtor Gregory S. Ballard Properties, LLC and awarding such

other and further relief in Chase's favor as the Court deems just and proper.

Respectfully submitted, this, the 13th day of August, 2018.

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 13th, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following: James H. Henderson, Esq. (henderson@title11.com).

I hereby further certify that on August 13th, 2018, the foregoing was served when it was deposited into the U.S. Mail, first-class postage prepaid, addressed as follows:

Bankruptcy Administrator  
402 West Trade Street, Suite 200  
Charlotte, NC 28202

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